

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TEMI BAMGBOSE, Individually : CIVIL ACTION
and on Behalf of All Others :
Similarly Situated :
: v. :
: :
DELTA-T GROUP, INC., et al. : NO. 09-667

ORDER

AND NOW, this 30th day of June, 2010, upon consideration of the defendant's Motion to Dismiss Opt-Ins (Docket No. 152), the plaintiff's Motion for Leave to Amend the First Amended Complaint (Docket No. 155), the defendant's Rule 12(b) (1) Motion to Dismiss for Lack of Jurisdiction (Docket No. 159), the parties' briefs in opposition and replies thereto, a telephonic oral argument held on June 18, 2010, on the parties' motions, and for the reasons stated in a memorandum of law bearing today's date, IT IS HEREBY ORDERED that:

1. The defendant's Motion to Dismiss Opt-Ins is DENIED.

2. The plaintiff's Motion for Leave to Amend the First Amended Complaint is GRANTED.

3. The defendant's Rule 12(b) (1) Motion to Dismiss for Lack of Jurisdiction is DENIED.

4. The plaintiff shall have one week to present to the Court his discovery plan with respect to what discovery he needs to conduct in order to renew his motion for conditional

certification. He shall also include a proposed deadline for renewing his certification motion. The defendant shall have one week to respond.

5. The Clerk of Court shall docket the plaintiff's Second Amended Complaint, attached as Exhibit A to the plaintiff's Motion for Leave to Amend the First Amended Complaint.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.